

**AMENDMENTS TO THE CLAIMS**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims**

*At Sub*

1. (currently amended) ~~An~~ A wayside applicator bar for applying a material to a head of a rail, comprising: a body; a flow passageway defined in said body for the material to flow through, the flow passageway defining an exit end; and a dam provided adjacent the exit end adapted to contain the material with an outside surface of the head of the rail, said dam terminating at a crown of the head of the rail.
2. (currently amended) ~~An~~ A wayside applicator bar as claimed in claim 1, wherein the dam is made of an elastomeric material.
3. (currently amended) ~~An~~ A wayside applicator bar as claimed in claim 2, wherein the dam comprises a D-shaped seal.
4. (currently amended) ~~An~~ A wayside applicator bar as claimed in claim 2, wherein said elastomeric material comprises Neoprene rubber.
5. (currently amended) ~~An~~ A wayside applicator bar as claimed in claim 1, further comprising a skirt for enclosing an upper portion of said dam and defining a material exit with a portion of the rail to direct the material to a crown portion of the rail.

*Og*  
*cont'd*

6. (currently amended) ~~An~~ A wayside applicator bar as claimed in claim 5,  
wherein said dam comprises a D-shaped seal and said skirt is flexible.

*CD*

7. (currently amended) ~~An~~ A wayside applicator bar as claimed in claim 6,  
further comprising a supply reservoir of material in fluid communication with the flow  
passageway.

8. (currently amended) ~~An~~ A wayside applicator bar as claimed in claim 1,  
wherein said dam comprises an elongated elastomeric member and said applicator bar further  
includes means for forcing ends of said elastomeric member against a rail surface.

9. (currently amended) ~~An~~ A wayside applicator bar for applying a material to  
a head of a rail, comprising: a body; a flow passageway defined in said body for the material  
to flow through, the flow passageway defining an exit end and a skirt attached to said body  
positioned adjacent the exit end for directing the material to ~~an upper surface-a crown~~ of the  
rail.

10. (currently amended) ~~An~~ A wayside applicator bar as claimed in claim 9,  
wherein said skirt is made of a flexible material.

11. (currently amended) ~~An~~ A wayside applicator bar as claimed in claim 10,  
wherein said skirt is made of an elastomeric material.

O<sub>2</sub>  
COM<sub>H</sub>

12. (currently amended) An-A wayside applicator bar as claimed in claim 9,  
wherein the exit is partially defined by an elongated distribution blade and said skirt is  
positioned adjacent said distribution blade.

C10

13. (currently amended) An-A wayside applicator bar as claimed in claim 9,  
wherein the exit is partially defined by an elongated distribution blade and said skirt is  
defined by a portion of said distribution blade.

14. (currently amended) A wayside top of a rail applicator system, comprising:  
a rail that includes a head having an upper surface with a crown; and an applicator for  
applying a material to the upper surface of the rail, said applicator comprising a body, a flow  
passageway defined in said body for the material to flow through the flow passageway  
defining an exit end for directing the material to said upper surface-crown of said rail.

15. (currently amended) A wayside top of rail applicator system as claimed in  
claim 14, further comprising a dam provided adjacent the exit end to contain the material  
with an outside surface of the head of the rail said dam terminating at a crown of the head of  
the rail.

16. (original) A wayside top of the rail applicator system as claimed in claim  
15, wherein said dam is made of elastomeric material.

*Og  
contd*

17. (currently amended) A wayside top of rail applicator system as claimed in claim 14, wherein said applicator comprises a skirt positioned adjacent the exit end for directing the material to the upper surface crown of the rail.

*CJ*

18. (original) A wayside top of rail applicator system as claimed in claim 17, wherein said skirt is flexible and positioned over a portion of the upper surface of the rail.

19. (original) A wayside top of rail applicator system as claimed in claim 15, further comprising a dam provided adjacent the exit end to contain the material with the head of the rail.

20. (original) A wayside top of rail applicator system as claimed in claim 19, further comprising a supply reservoir of material in fluid communication with the flow passageway.

21. (original) A wayside top of rail applicator system as claimed in claim 20, further comprising a pump in fluid communication with the supply reservoir and means for activating said pump to force the material through the flow passages and onto the upper surface of the rail.

22. (currently amended) ~~An~~ A wayside applicator bar as claimed in claim 13, wherein said distribution blade is made of a metal.

Application No. 09/937,792  
Paper Dated: August 6, 2003  
In Reply to USPTO Correspondence of May 7, 2003  
Attorney Docket No. 2046-011632

*O 2*  
*concl*

23. (currently amended) ~~An~~ A wayside applicator bar for applying a material to a head of a rail, comprising: a body; a flow passageway defined in said body for the material to flow through, the flow passageway defining an exit end for directing the material to ~~an upper surface~~ a crown of the rail.

*C O C*

Claims 24-26 (cancelled)

27. (currently amended) ~~An~~ A wayside applicator bar as claimed in claim 9, wherein said skirt comprises metal.

28. (currently amended) ~~An~~ A wayside applicator bar as claimed in claim 10, wherein said skirt comprises a polymeric material containing reinforcing fibers.